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FM THE SITUATION ROOM//TOHAK 18//

TO RODMAN/COMPART/BORG FOR THE SECRETARY

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ON-FILE NSC RELEASE
INSTRUCTIONS APPLY

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SEALED ENVELOPE.

TO: HENRY A. KISSINGER

FROM: BRENT SCOWCROFT

JUSTICE IS REQUESTING A DETERMINATION FROM US AS TO THE
SECURITY CLASSIFICATION ON A NUMBER OF DOCUMENTS RELATED TO THE
SUIT BY TONY LAKE. MOST OF THEM ARE HOOVER SUMMARY REPORTS
OF WIRETAPS, BUT ONE OF THE DOCUMENTS IS AL HAIG'S TALKING
POINTS PAPER TO YOU OF JUNE 4, 1969, WHICH IS QUOTED BELOW.
YOU LEFT THIS PAPER WITH THE SFRC IN 1973, BUT STILL WITH
ITS TOP SECRET CLASSIFICATION. I SEE ABSOLUTELY NO WAY WE CAN
MAINTAIN THE CLASSIFICATION ON THIS DOCUMENT. IT SIMPLY DOES
NOT FIT THE CRITERIA. IN ANY EVENT, I DO NOT BELIEVE THAT IT
CONTAINS ANYTHING DAMAGING. I DID NOT WANT TO TAKE ANY ACTION
ON DECLASSIFICATION, HOWEVER, WITHOUT YOUR CONCURRENCE.
JUSTICE NEEDS A RESPONSE BY THURSDAY.

DOCUMENT READS AS FOLLOWS:

"1. EXPRESS YOUR APPRECIATION TO MR. HOOVER AND MR.
SULLIVAN FOR THEIR OUTSTANDING SUPPORT IN RECENT WEEKS IN
UNCOVERING SECURITY PROBLEMS WITHIN THE NSC STAFF. INFORM
MR. HOOVER THAT YOU HAVE DISCUSSED THESE PROBLEMS IN DETAIL
WITH THE PRESIDENT (AND WITH MESSRS. HALDEMAN AND EHRLICHMAN).

"2. TELL MR. HOOVER OF THE ACTION TO BE TAKEN WITH RESPECT
TO DAVIDSON,

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"3. ASK MR. HOOVER FOR HIS VIEWS ON HOW WE SHOULD PROCEED WITH HALPERIN, WHO HAS BEEN INVOLVED IN INDISCRETIONS AND WHO OBVIOUSLY HAS A REPUTATION FOR LIBERAL VIEWS BUT WHO HAS YET TO BE FIRMLY LINKED WITH A SECURITY BREACH. I THINK IT BEST THAT YOU SEEK MR. HOOVER'S ADVICE IN THIS INSTANCE WHILE AVOIDING ANY SPECIFIC COMMENTS PRO OR CON AND ESPECIALLY AVOIDING ANY OPINIONS ON THIS MATTER.

"4. REQUEST MR. HOOVER'S ADVICE ON HOW TO PROCEED WITH SONNENFELDT.

"5. ASK MR. HOOVER IF HE HAS ANY ADDITIONAL INFORMATION OR GUIDANCE WHICH HE FEELS WOULD BE HELPFUL IN THIS VERY DIFFICULT SITUATION. SPECIFICALLY YOU MIGHT INQUIRE ABOUT THE REQUIREMENT FOR PROLONGING THE TAPS, MAKING IT CLEAR THAT THE PRESIDENT WISHES TO TERMINATE THEM AS SOON AS POSSIBLE. (I THINK IN THE CASE OF HALPERIN AND SONNENFELDT THAT THEY SHOULD BE KEPT ON FOR AT LEAST ANOTHER TWO WEEKS SO THAT A PATTERN OF INNOCENCE CAN BE FIRMLY ESTABLISHED."

WARM REGARDS,

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ENVELOPE TO PETER RODMANTOHAK 18

TOP: HENRY A. KISSINGER

FROM: BRENT SCOWCROFT *BS*

Justice is requesting a determination from us as to the security classification on a number of documents related to the suit by Tony Lake. Most of them are Hoover summary reports of wiretaps, but one of the documents is Al Haig's talking points paper to you of June 4, 1969, which is quoted below. You left this paper with the SFRC in 1973, but *still with* ~~not~~ its Top Secret classification. I see absolutely no way we can maintain the classification on this document. It simply does not fit the criteria. In any event, I do not believe that it contains anything damaging. I did not want to take any action on declassification, however, without your concurrence. Justice needs a response by Thursday.

Document reads as follows:

" 1. Express your appreciation to Mr. Hoover and Mr. Sullivan for their outstanding support in recent weeks in uncovering security problems within the NSC staff. Inform Mr. Hoover that you have discussed these problems in detail with the President (and with Messrs. Haldeman and Ehrlichman).

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"2. Tell Mr. Hoover of the action to be taken with respect to Davidson.

"3. Ask Mr. Hoover for his views on how we should proceed with Halperin, who has been involved in indiscretions and who obviously has a reputation for liberal views but who has yet to be firmly linked with a security breach. I think it best that you seek Mr. Hoover's advice in this instance while avoiding any specific comments pro or con and especially avoiding any opinions on this matter.

"4. Request Mr. Hoover's advice on how to proceed with Sonnenfeldt.

"5. Ask Mr. Hoover if he has any additional information or guidance which he feels would be helpful in this very difficult situation. Specifically you might inquire about the requirement for prolonging the taps, making it clear that the President wishes to terminate them as soon as possible. (I think in the case of Halperin and Sonnenfeldt that they should be kept on for at least another two weeks so that a pattern of innocence can be firmly established."

Warm regards.

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